Hoboken, New Jersey, November 12, 2014

A Regular Meeting of the Hoboken Planning Subdivision and Site Plan Review Committee Meeting was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Meeting was chaired by Commissioner Gary Holtzman and called to order at 7:00 p.m. with recitation of compliance with the provisions of the Open Public Meetings Act of the State of New Jersey.

ROLL CALL:
Commissioner Gary Holtzman
Commissioner Caleb McKenzie
Commissioner Frank Magaletta
Commissioner Daniel Weaver

Also present were: Mr. Andrew Hipolit, Planning Board Engineer; Mr. Roberts, Board Planner; Mr. Dennis Galvin, Planning Board Attorney; Ms. Patricia Carcone, Planning Board Secretary

411 Monroe Street
Applicant: Arora Hoboken Re: II, LLC
Attorney: Connell, Foley LLP
Architect: Gale Architectural Services

Mr. George Weinert (phonetic), Architect and Mr. Steven Moore, General Manager introduced themselves and gave a "quick walk-through" of the proposal, as requested by Chairman Holtzman; including demonstration through the use of photographs.

Mr. Weinert said: They are proposing to close off one of the doors and modify the first floor, then have the entrance in the hallway; removing the existing hot water boiler in the cellar space. It will be brought up to existing level and installed on the first floor. Each unit will have its own heat/hot water unit and washer/dryer. Both units are identical, with two bathrooms, a kitchen and a mechanical room. They are required, then, to have a fire escape.

The existing building footprint is 50' by 25'. They are keeping that size and adding a deck and fire stair in the back, so that will be an additional 10', which is in accord with the zoning ordinance. The existing stair in the rear is not going to be changed.

The layout is fairly simple, basically, three bedroom, two bath on each floor. It is currently a two-unit condo, and they will revise the master deed if this is approved, to show a three family.

Mr. Galvin confirmed that the applicant is the condo association.

Mr. Weinert said they are not asking for any variance, but because there is a third story being added, the ordinance states that it automatically triggers a requirement for planning, according to his understanding. Mr. Galvin confirms that.

Mr. Weinert explains they will have a sprinkler system throughout.

Mr. Hipolit asks about the floor elevation. Mr. Weinert explains the existing base elevation of the first floor is 8.11, finished. The new required BFE, if one were doing an addition to the rear, which they originally tried, they would have to bring the whole first floor up to 13. Mr. Galvin asks if that is the DFE or the BFE, and explains that the standard in Hoboken is the DFE.

Mr. Holtzman explains that the Board's design elevation is basically the BFE plus the one foot of free board. The 12-foot is the BFE, plus the one foot of free board, which is also to the bottom of the

lowest joist member of the first residential floor, just to make sure they are all on the same page with legal requirements.

Mr. Hipolit states the legal question is; do they get kicked into a variance.

Chairman Holtzman explains they don't have an option to ask for a variance, they need to comply.

Mr. Hipolit states that they can't comply; they'd have to knock the building down.

Chairman Holtzman states that from his reading of the ordinance, the first floor of this building is uninhabitable.

Commissioner Magaletta says it is currently being inhabited.

Mr. Hipolit asks; once they modify are they now subject to it? Mr. Galvin says that if it's more than 50 percent they are.

Mr. Weinert states that he has done several buildings in Hoboken where they have added to the rear. His understanding, based on his review with Ann Holtzman in Zoning is that the new construction part would have to be brought up to the 13-foot BFE.

Mr. Galvin explains that what Ann has told him is driving what they're doing. What Andy's saying is; are you okay doing what you've come to an agreement with the Flood Administrator.

Mr. Hipolit says it sounds like Mr. Weinert talked to Ann about the five feet in the rear, and not the whole third story.

Mr. Weinert answers that that discussion was dropped because she said what drove this plan was; they kept the existing footprint, changed it less than 50 percent.

Mr.Hipolit says that they need to quantify that because they're adding a story, and then, they are adding a 10-foot fire escape in the back, which all counts as new improvement because they're still making some internal changes. He just doesn't know what the balance is; what the dollar value of improvement versus current value and size.

Mr. Galvin says the Board needs to check that because that could impact whether or not the building needs to be elevated, and asks who checks that.

Mr. Weinert says they did a calculation of the value of the building, and it came out to $459,000. When they add the 1250 sq. ft. of top-roof area, using $200 a square foot, brings it up an additional 250, which brings it over 50 percent.

Mr. Galvin says they have a flood plain management issue that needs to be dealt with and settled. There are two things needed to make that possible; which are,
1. To get a confirmation from an engineering team to confirm the additional costs being proposed, including full cost per square foot, and an analysis of the additional cost with full fire suppression system, moving all of the utilities.
2. Also get a confirmation from the Flood Plain manager that she's comfortable with what this is, because if there are design changes needed, it doesn't pay to start that process, and send the applicant back around in a circle.

Mr. Hipolit says there are a number of more comments to be made, which are geared towards this issue of the Flood Plain Manager or general things on the plans. And the other big comment is the discussion about handicap accessibility; does that now require other things such as elevators.

Mr. Weaver has concerns about the property valuation number being conservative with the $200 a square foot. It seems like the existing property would also be enhanced; if you look at comps for a similar three-story property, what the actual valuation of it would be when it's done. It's hard to believe that they're only going to spend $250,000 on the addition and the renovation, and it will only add that to the valuation of the property.

Mr. Weinert explains that they were directed by the Zoning Officer that the valuation would not apply. They are already bringing the building up to specs of fire suppression, secondary form of egress, conforming handicap adaptability. It's a three-family, and it's an incremental move that has a big trigger in terms of the cost, because of the fire suppression. But they were told that the valuation wouldn't be a trigger when they did this on the third floor, and that they wouldn't have to raise that first floor level, which is what brought them to this particular option.

Chairman Holtzman said that now, they have to look at it more closely, and get an answer; there's no problem.

Mr. Roberts added that the second floor would be squared off, too; it's more than a second floor addition.

Chairman Holtzman asks Mr. Hipolit if he can come up with some costs on it.

Mr. Hipolit says he can do it, but doing the cost is somewhat of a futile exercise because we know it's going to be more than the value of the building.

Chairman Holtzman asks them to put a number on it so it can be talked about publically.

Commissioner Magaletta says he doesn't want the applicant to be punished, but that he wonders about how it would impact people who have rental properties who are below this flood elevation, and how this could be a problem, and what can be done with that.

Chairman Holtzman clarifies that this is also a condominium building.

Mr. Hipolit asks if the applicant looked into putting on two stories and vacating the first story.

Mr. Weinert says, no, it does not seem to be a practical solution.

Mr. Magaletta asks about a complete tear-down.

Mr. Weinert says that this building is in quite good shape, not a fixer-upper. The interiors are very well finished, and it's not the usual thing to be shored up.

Mr. Hipolit says it is certainly not a pretty sight.

Mr. Weinert says that scale-wise, it does not conform to the streetscape. It's a fairly plain building. They want to try to dress it up without breaking the bank.

Mr. Hipolit says he was there today, and adding two stories to the building would match the roof up.

Mr. Weinert says that his understanding was that it could go to the lower of the two. There was discussion about this.

Mr. Galvin says it's a difficult situation because they would be going to the Zoning Board, and they would need to demonstrate a hardship to the Board. Discussion followed.

Mr. Weinert states that they would be willing to throw in flood vents.

Mr. Galvin says that from his experience in other communities, that they tried to bring variances from the flood hazard ordinance, and it was disasterous. So, the Board has to be exceptionally cautious to the degree of almost not issuing any of those kinds of variances. He would rather give a height variance or make the applicant happy in another way than have them try to find a way to finagle around the flood requirements.

Mr. Hipolit said that FEMA is going to look at this as a negative. If you put a big improvement on the value of the building, then they would say that the valuation means rip it down and make it conforming. So, they could knock Hoboken out.

Chairman Holtzman said that FEMA recently sent a report about the number of buildings that are not in compliance with the standards. The first report came through with 600 buildings, and we can't make it 601.

Mr. Galvin explains that they issued that report because they want that number to go down.

Chairman Holtzman asks for any more comments.

Mr. Hipolit says he questions the label of guest room on the upper floor, and the third bedroom on the first floor; there is an encroachment on the existing stoop being in the right-of-way; sidewalks, and stuff like that.

Chairman Holtzman asks if that's all in the letter. And in addition to the stoop in the right-of-way, there is also the balconies as well, that testimony would be needed on that, as well as sign off; and states that if the steps are not granted in the right-of-way, they may need to redesign these steps to be an entryway into the building.

Mr. Hipolit says there are a lot of questions.

Chairman Holtzman states there were no details as to the rear yard; whether there was any type of water retention or detention or if there was any kind of permeable or unpermeable (sic) surface going back there; being really important to the city.

Mr. Roberts says that the applicant explained that.

Chairman Holtzman asks if that was a change.

Mr. Weinert explains that the elevation on A-2 is consistent with what was shown in October.

Chairman Holtzman summarizes that that's a pre-existing condition.

Mr. Roberts says that the other thing they asked about was whether this would be a condominium or rental property.

Mr. Weinert says it's going to be a condominium.

Chariman Holtzman sums it up by saying that there is a fair list of things about the flood plain issue that need to be resolved. It is his opinion that the application as it stands now is incomplete.

Vote. All in agreement.

Chairman Holtzman says the applicant will be sent back to the Flood Plain Manager.

Mr. Hipolit says the ADA questions need to be addressed, re: elevator. We need to get some dissertation on that, and brought back.

Chairman Holtzman suggests they consider Dennis' comments about there being a better approach here to resolve some of the outstanding issues.

Mr. Galvin suggests they may need to go back to the drawing board.

ADJOURNMENT OF THIS MATTER.

Respectfully submitted,

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